

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

Case No.: 22-CV-22538-ALTMAN/REID

Pierce Robertson, et al., on behalf of themselves
and all others similarly situated,

Plaintiffs,

CLASS ACTION COMPLAINT

v.

JURY DEMAND

Mark Cuban, Dallas Basketball Limited, d/b/a
Dallas Mavericks, and Stephen Ehrlich,

Defendants.

/

REQUEST FOR A BRIEF STATUS CONFERENCE

Plaintiffs respectfully request a brief Status Conference at the end of this month, to simply update the Court on the Status and Background of the Litigation.

This case involves a lot of different moving parts, that all may have an effect on this litigation. It would be very beneficial for the Parties to simply update the Court, as the Court has already ruled on Defendants' Motion to temporarily stay this action and for an extension of time to respond to this Complaint ("Motion to Stay") [ECF No. 7], before Plaintiffs had an opportunity to file any written response. Defendants further filed a Notice with the Court advising of the rescheduling of the Voyager Debtors' Motion for Stay [ECF No. 9], which also warrants some clarification.

First, Plaintiffs are proud to announce that The Honorable Ursula Ungaro (Ret.) and Stephen Neal Zack, of Boies Schiller Flexner LLP, have joined as Co-Lead Counsel in this action, and have entered their appearances concurrently with the filing of this Request.

Second, on August 31, 2022, Plaintiffs' Counsel retained the nationally recognized bankruptcy law firm of Pachulski Stang Ziehl & Jones LLP ("PSZJ"), to serve as bankruptcy co-counsel, to assist Plaintiffs in defending against the Adversary Complaint and in opposing the Motion to Stay this action, which filings were referred to in Defendants' Motion to Stay [ECF No.

Case No.: 22-CV-22538-ALTMAN/REID

7]. PSZJ's joining this litigation, caused the Bankruptcy Court to adjourn the hearing on the Voyager Debtors' Motion to Stay.

Finally, it is inconceivable that any stay would extend to claims specifically against Defendant Mark Cuban, which does not have any direct connection to the Voyager entities who are debtors in the bankruptcy. Thus, it will be beneficial for the parties currently before the Court¹ to hold a brief Status Conference to simply update the Court and discuss, among other things, the filing of an amended complaint, which may include dismissing some parties (such as the Mavericks), and a provisional and proposed Leadership of this litigation for when it does proceed.

CONCLUSION

Plaintiffs respectfully request this Honorable Court order a brief status conference before the Court at a date and time convenient to the Court at the end of September, so the Parties may simply update and inform the Court on the status of all of the various litigation.

S.D. FLA. L.R. 7.1 CERTIFICATION

Counsel for the Movants has made reasonable efforts to confer with all parties who may be affected by the relief sought in the motion, Defendants Mark Cuban and Dallas Basketball Limited, d/b/a Dallas Mavericks object to the relief sought. Plaintiffs look forward to coordinating any date and time that is convenient for the Court, and all parties.

Dated: September 9th, 2022.

Respectfully submitted,

By: /s/ Adam M. Moskowitz

Adam M. Moskowitz
Florida Bar No. 984280
adam@moskowitz-law.com
Joseph M. Kaye
Florida Bar No. 117520
joseph@moskowitz-law.com
Barbara C. Lewis
barbara@moskowitz-law.com
Florida Bar No. 118114
THE MOSKOWITZ LAW FIRM, PLLC
2 Alhambra Plaza, Suite 601
Coral Gables, FL 33134
Telephone: (305) 740-1423

By: /s/ Stephen Neal Zack

Stephen Neal Zack
Florida Bar No. 145215
Hon. Ursula Ungaro (Ret.)
Florida Bar No. 200883
BOIES SCHILLER FLEXNER LLP
100 SE 2nd St., Suite 2800
Miami, FL 33131
Office: 305-539-8400
Fax: 305-539-1307
szack@bsflp.com
uungaro@bsflp.com

Co-Counsel for Plaintiffs and the Class

¹ PSZJ, on behalf of Plaintiffs, agreed as a condition for adjourning the hearing on the Voyager Debtors' Motion to Stay that they would cease efforts to serve Stephen Ehrlich at this time.

Case No.: 22-CV-22538-ALTMAN/REID

Co-Counsel for Plaintiffs and the Class

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the forgoing was filed on September 9, 2022, with the Court via CM/ECF system, which will send notification of such filing to all attorneys of record.

By: /s/ Stephen Neal Zack

Stephen Neal Zack

Florida Bar No. 145215